

# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God Almighty, You are our shelter, our defense, a guard who surrounds us; our glory, the one who holds our head high.

As each day is unpredictable and each moment brings another challenge, You are the stability of our day. So we remind ourselves of Your abiding presence.

As we move into this day, help us to serve without pretense; detesting what is false, clinging to what is true. May we willingly confer with one another, in honor giving preference to one another. May we serve with humility and not be wise in our own opinion.

Now Lord God, strengthen and make us what we ought to be and equip us with everything good that we may carry out Your will for this day; while You work in us and accomplish that which is pleasing in Your sight.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sara Schueller, Konner Settles, Makayla Johnson, Jacob Pickett, Shayna Stuckey, Ally Dedmon, Whitney Smith and Britney Anderson.

The Journal of the twenty-seventh day was approved as printed.

## **SPECIAL RECOGNITION**

The University of Missouri-Columbia "Mizzou" Tigers Football Team was introduced by Speaker Jetton and Representatives Baker (25), Hobbs, Robb and Rucker and recognized for their performance during the 2007-2008 season and for winning the AT&T Cotton Bowl in Dallas, Texas on January 1, 2008.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 825 through House Resolution No. 852

**SECOND READING OF HOUSE BILLS**

**HB 2258** through **HB 2266** were read the second time.

**THIRD READING OF HOUSE BILL - CONSENT**

**HCS HB 1309**, relating to temporary driver's permits, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 1309** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 120	El-Amin	Harris 23	Haywood
Kelly	Lipke	Oxford	Quinn 9	Robinson
Vogt				

VACANCIES: 002

Speaker Jetton declared the bill passed.

Speaker Pro Tem Pratt assumed the Chair.

### PERFECTION OF HOUSE BILLS

**HCS HB 1763**, relating to petition circulators, was taken up by Representative Parson.

Representative Low (39) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Lines 6-7, by deleting the words "**, receive any signature by mail or via the Internet,**"; and

Further amend said bill, Page 1, said section, Line 7, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill, Page 1, said section, Lines 11-12, by deleting the following:

**", received any signature by mail or via the Internet,"**; and

Further amend said bill, Page 1, said section, Line 12, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill, Page 2, said section, Line 17, by deleting the following:

**"and proof of United States citizenship"**; and

Further amend said bill, Page 2, said section, Lines 36-37, by deleting the following:

**", RECEIVE ANY SIGNATURE BY MAIL OR VIA THE INTERNET,"**; and

Further amend said bill, Page 2, said section, Line 38, by deleting the word "**CONCURRENTLY**" and inserting the word "**SIMULTANEOUSLY**"; and

Further amend said bill, Page 2, said section, Lines 45-46, by deleting the following:

**", receives any signature by mail or via the Internet,"**; and

Further amend said bill, Page 2, said section, Line 46, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Low (39), **House Amendment No. 1** was adopted.

Representative Storch offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1763, Page 3, Section 116.080, Line 49, by adding one new section:

"116.090. 1. Any person who **knowingly** signs any name other than his or her own to any petition [,or] **shall, upon conviction thereof be guilty of a class one election offense, as defined in section 115.631 RSMo.**

2. **Any person** who knowingly signs his or her name more than once for the same measure for the same election, or who knows he or she is not at the time of signing or circulating the same a Missouri registered voter and a resident of this state, shall, upon conviction thereof, be guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **560.016**, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both.

[2.]3. Any person who knowingly accepts or offers money or anything of value to another person in exchange for a signature on a petition is guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **560.016**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both."; and

Further amend title and enacting clause accordingly.

On motion of Representative Storch, **House Amendment No. 2** was adopted.

On motion of Representative Parson, **HCS HB 1763, as amended**, was adopted.

On motion of Representative Parson, **HCS HB 1763, as amended**, was ordered perfected and printed.

**HB 1678**, relating to education for military children, was taken up by Representative Day.

On motion of Representative Day, **HB 1678** was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1371** - Fiscal Review (Fiscal Note)

**HB 1678** - Fiscal Review (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1469**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1983**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 41**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 1836**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1368**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1689**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1886**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2041**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2055**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2056**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2058**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2267**, introduced by Representatives LeVota and Darrough, relating to failure to report illegal conduct of pharmacists or other health care professionals.

**HB 2268**, introduced by Representative Portwood, relating to Christian Science nurses.

**HB 2269**, introduced by Representative Nasheed, relating to misuse of emergency telephone service.

**HB 2270**, introduced by Representatives Roorda, Meadows, Wildberger, Bivins, Portwood, Zimmerman, Hodges and George, relating to traffic control signal violations.

**HB 2271**, introduced by Representatives Roorda, Wildberger, Talboy, Bruns, Page, Meadows, Casey, Donnelly and George, relating to health benefits for surviving spouses and children of certain public safety employees.

**HB 2272**, introduced by Representatives Wright-Jones, Hubbard, Chappelle-Nadal, Lampe, Talboy, Zweifel, Page, Donnelly, Lowe (44), Zimmerman, McClanahan, George, Brown (50), El-Amin, Oxford, Bland, Norr, Komo, Daus, Hughes, Walton, Nasheed, Vogt, Wildberger, Aull, Dougherty, Corcoran, Johnson, Low (39), Storch, Wallace, Harris (23), Baker (25), Guest, Curls, Fares, Darrough, Frame, Haywood, Meiners, Young, Burnett, Holsman, Hoskins, Marsh, Walsh, Skaggs and Rucker, relating to reducing the number of abortions in the state through the prevention first act.

**HB 2273**, introduced by Representatives Stevenson and Witte, relating to the Missouri uniform trust code.

**HB 2274**, introduced by Representatives Munzlinger and Sander, relating to tax incentives for certain energy uses.

**HB 2275**, introduced by Representative Johnson, relating to forensic examinations.

**HB 2276**, introduced by Representatives Bivins, Dougherty, Jones (89), Nieves, Ruestman, Page, Avery, Moore, Yaeger, Lembke and Emery, relating to property taxation.

**HB 2277**, introduced by Representatives Bivins, Lembke and Cunningham (86), relating to fire protection district tax rates.

**HB 2278**, introduced by Representatives Pearce, Day, Baker (123), Onder, Kingery, Munzlinger, Wallace, Dougherty, Wilson (119), Ruestman, Fisher, Dusenberg, Stevenson, Schad, Bivins and Frame, relating to waiver of a NICS background check for certain persons purchasing firearms.

**HB 2279**, introduced by Representatives Wright, Emery, Fisher, Schoeller, Zimmerman and Kraus, relating to gas corporations.

**HB 2280**, introduced by Representative Cunningham (86), relating to instructional costs at public institutions of higher education.

**HB 2281**, introduced by Representative Cunningham (86), relating to professional association dues of school administrators.

**HB 2282**, introduced by Representative Ervin, relating to health insurance.

**HB 2283**, introduced by Representatives Cunningham (145), Schoeller, Loehner, Munzlinger, Self, Quinn (7), Wasson, Fisher, Robb, Day, Pollock, Wilson (119), Hobbs, Dethrow, Weter, Wells, Moore, Schlottach, Franz, Kelly, Wallace, Richard, Schad, May, Sander, Brandom, Parson, Smith (150), Faith and Guest, relating to misbranding of food.

**HB 2284**, introduced by Representatives Meadows, Page, Portwood, Young, Oxford, Talboy, Moore, Lowe (44), Casey, Schieffer, Corcoran and Deeken, relating to van accessible parking spaces.

**HB 2285**, introduced by Representative Meadows, relating to probation and parole services.

**HB 2286**, introduced by Representatives Yates, Richard, Muschany, Kraus, Dusenberg, Wallace, Faith, Avery, Fisher, Nance, Dixon, Wasson and McGhee, relating to the uninsured motorists.

The following members' presence was noted: Cooper (120), Harris (23), Haywood, Oxford, Quinn (9) and Vogt.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 28, 2008.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Thursday, February 28, 2008, 8:15 a.m. Hearing Room 3.  
Appropriation Committee Reports.  
Executive session may follow.  
Public hearing to be held on: HJR 70

#### **FISCAL REVIEW**

Thursday, February 28, 2008, House Chamber side gallery upon morning adjournment.  
All bills referred to this committee.

#### **HIGHER EDUCATION**

Tuesday, March 4, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1596

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE**

Thursday, February 28, 2008, 8:00 a.m. Senate Committee Room 2.  
Public hearing to be held on: SB 904

#### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, February 28, 2008, Hearing Room 6 upon morning adjournment.  
Executive session may follow.  
Public hearings to be held on: HCS HB 1690, HCS HB 1715,  
HCS HB 1423, HCS HB 1722, HCS HB 1341, HB 1934, HCR 7

#### **SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, March 4, 2008, 8:30 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1910, HB 1804, HB 1866, HB 2115, HB 1466

#### **SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, February 28, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearing to be held on: HB 1792

**SPECIAL COMMITTEE ON SMALL BUSINESS**  
Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.  
Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**  
Thursday, February 28, 2008, Hearing Room 7 upon morning adjournment.  
Executive session.

**SPECIAL COMMITTEE ON TOURISM**  
Tuesday, March 4, 2008, 9:00 a.m. House Lounge.  
Joint Committee on Tourism.

**TRANSPORTATION**  
Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HCR 15, HB 1500, HB 1646, HB 1887

## **HOUSE CALENDAR**

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2008

### **HOUSE BILLS FOR SECOND READING**

HB 2267 through HB 2286

### **HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 2014 - Icet

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz

- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1711 - Weter
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz

(2/28/08)

- 1 HB 1368 - Thomson
- 2 HB 1689 - Wilson (130)
- 3 HB 2055 - Viebrock
- 4 HCS HB 2056 - Viebrock

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1970 - Wasson
- 2 HCS HBs 1595 & 1668, (Fiscal Review 2-26-08) - Swinger
- 3 HCS HB 1314 - Cunningham (86)
- 4 HB 1371, (Fiscal Review 2-27-08) - Wilson (119)
- 5 HCS HB 1763 - Parson
- 6 HB 1678, (Fiscal Review 2-27-08) - Day

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

#### **HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet